

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

JOHN R. HAAS,

Petitioner,

v.

Case No. 07-C-480

**LARRY JENKINS, Warden,
Kettle Moraine Correctional Institution,**

Respondent.

ORDER

Petitioner John Haas, incarcerated at Kettle Moraine Correctional Institution and proceeding pro se, filed a petition for a writ of habeas corpus. Petitioner also filed a motion to proceed in forma pauperis. On October 4, 2007, I denied petitioner's motion to proceed in forma pauperis and ordered him to pay the \$5 filing fee. Petitioner subsequently filed a motion seeking a court order allowing access to the funds in his work release account and an extension of time to pay the fee.

Upon review of the documents submitted with this last motion, I have reconsidered the initial denial of the motion to proceed in forma pauperis. See Fed. R. Civ. P. 54(b). The documents submitted show that petitioner's only assets are in his release accounts; however, the release accounts are not relevant to the in forma pauperis analysis. As petitioner has a zero balance in his regular account and no other assets outside of the release accounts, I am satisfied that he cannot pay the \$5 filing fee and will allow him to proceed in forma pauperis.

Therefore,

IT IS ORDERED that the Clerk of Court allow petitioner to proceed in forma pauperis without payment of the filing fee.

IT IS FURTHER ORDERED that petitioner's motion for an extension of time and court order is **DENIED** as moot.

Dated at Milwaukee, Wisconsin, this 23 day of October, 2007.

/s

LYNN ADELMAN
District Judge